B.L.R. No. 11997/1940
G4(2)

REPORT

OF THE

HIGH COURT OF JUDICATURE

AT

ALLAHABAD

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PROVINCE OF AGRA

8 NOV 1940

For the year 1939

14973

WEST PAKISTAN SECRETARIAT
LIBRARY COPY
(To be returned to the Library when done with)

ALLAHABAD:
SUPERINTENDENT, PRINTING AND STATIONERY, UNITED PROVINCES, INDIA
1940

1939
G
No.4(2)
G
4(2)

Price, 6 annas.]

B. L. R. No. 1175

G 4(2)

REPORT

OF THE

HIGH COURT OF JUDICATURE

AT

ALLAHABAD

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PROVINCE OF AGRA

8 NOV 1940

For the year 1939

WEST PAKISTAN SECRETARIAT
· LIBRARY COPY
(To be returned to the Library when done with)

ALLAHABAD:
Superintendent, Printing and Stationery, United Provinces, India
1940

1939
G
No. 4(2)
4(2)

Price, 6 annas.]

INDEX

		Pages
1.	Note on the Administration of Criminal Justice for the year 1939	1—12
	IMPERIAL STATEMENTS	
2.	Judicial Statement no. 1, corresponding to Government of India revised Statements nos. 25 and 26	14-15
3.	Judicial Statement no. 2, corresponding to Government of India revised Statement no. 35...	16—21
4.	Jndicial Statement no. 4, corresponding to Government of India revised Statement no. 33	22-23
5.	Judicial Statement no. 5, corresponding to Government of India revised statement no. 36	24-25
6.	Judicial Statement no 6, corresponding to Government of India revised Statement no. 34...	26-27
	PROVINCIAL STATEMENTS	
7.	Judicial Statement no. 3	30
8.	Ditto no. 5A (Part I)	31
9.	Ditto no. 5A (Part II)	32
10.	Ditto no. 5A Part III)	33
11.	Ditto no. 5A (Part IV)	34
12.	Ditto no. 7	35

Note on the Administration of Criminal Justice in the Province of Agra during the calendar year 1939.

The number of sessions divisions, 19, remained unchanged during the year.

In addition to the permanent courts of additional sessions judges there were additional sessions judges and civil and sessions judges who worked temporarily at the following places during the year for the period or periods indicated against each.

Temporary civil and sessions judges

Agra—One from 1st January to 15th November (under training).

Etah—One from 7th June to 18th December.

Allahabad—One from 1st January to 9th August and again from 24th November to 31st December (under training.)

Bareilly—One from 1st January to 1st May and another from 16th August to 31st December (both under training).

Benares—One from 13th October to 31st December (under training).

Budaun—One from 6th June to 31st December.

Cawnpore—Two semi-permanent courts: One throughout the year and the other from 3rd January to 2nd May and again from 5th July to 13th October.

Two courts of officers under training: One from 1st January to 30th April and the other from 4th January to 4th June and again from 6th July to 31st December.

Hamirpur—One from 8th November to 31st December.

Ghazipur—One from 7th November to 19th December.

Gorakhpur—One for the whole year and another from 6th December to 31st December (the latter under training).

Basti—One from 6th November to 7th November.

Muzaffarnagar—One for the whole year.

Bijnor—One for the whole year.

Moradabad—One from 3rd January to 2nd March and again from 12th August to 27th September.

Saharanpur—One from 4th February to 31st May.

Of these temporary civil and sessions judges seven were I. C. S. officers under training and as the conditions of their training made it impossible for all but three to dispose of any considerable number of criminal cases, they cannot properly be considered as an addition to strength on the year's working.

Judicial Statement no. 2.

2. **Offences Reported**—The total number of offences under the Indian Penal Code reported during the year increased from 79,368 to 81,045. The number of cases returned as true increased from 51,184 to 57,358. The number of cases brought to trial increased from 47,395 to 55,061. The number of persons brought to trial also increased from 1,38,411 to 1,59,142.

The outstanding features of the year are the marked increases in nearly all important offences with the exception of offences against the State, offences involving fraud and offences relating to elections.

Offences against the State and public tranquillity—Cases of offences against the State brought to trial decreased from 22 to 17 and the number of persons involved also decreased from 80 to 55. The number of cases of offences against public tranquillity, however, rose from 1,826 to 1,896 and the number of persons involved was 333 more than in the previous year.

Contempts of lawful authority of public servants—There was an increase of 2,242 on last year's figures in the number of such offences and the number of persons involved also rose by 3,755.

False evidence and offences against public justice—There was an increase of 124 (from 484 to 608) in the number of these offences as compared with last year's figures and the number of persons convicted also increased by 177.

Public health, safety, etc.—There was an increase of 497 in crimes of this class and the number of persons convicted also increased by 242. In Basti, Aligarh and Saharanpur the increase was marked—(Basti 267, Aligarh 154, Saharanpur 150).

Life—The number of cases affecting life brought to trial decreased by 117 but the number of persons brought to trial rose from 6,111 to 6,551—an increase of 440.

Hurt and criminal force and assault—These offences have increased. The increase of 1,752 in the number of cases of hurt brought to trial is noteworthy. The number of persons

under-trial for hurt increased by 6,629 and the number of those convicted also increased by 1,005.

Kidnapping, forcible abduction, etc.—The number of cases of these offences brought to trial increased by 58 and the number of persons under-trial also increased by 123. Seventy-five fewer persons were convicted than in the previous year.

Theft—The number of cases of theft increased from 6,986 to 8,121 and the number of persons brought to trial also increased by 2,940.

Robbery and dacoity—There was an increase of 175 in the number of crimes under this head (from 620 to 795).

Criminal breach of trust—This class of cases showed an increase from 942 to 1,107—an increase of 165. The number of persons under-trial increased by 212 and the number of persons convicted also increased by 13.

Fraudulent deeds and disposition of property—Crimes of this kind again showed a decrease—from 286 for 1938 to 248 for 1939. The number of persons under-trial decreased by 195, and the number of persons convicted also decreased from 140 to 115.

Offences against the person—The number of offences against the person increased by 1,262 to 36,252; the increase being shared by 17 districts out of 36 districts. These figures represent every kind of offences against the person, from murder to the simplest kind of hurt and cover the sections 299 to 377 of the Indian Penal Code.

Offences against property—The number of reported offences against property including those pending from the previous year increased by 123 to 33,006.

Farrukhabad showed the most noticeable increase (253).

Code of Criminal Procedure and Special and local laws—The total number of cases reported under the Code of Criminal Procedure and special and local laws, including those pending from the previous year, increased from 1,18,842 to 1,40,194 and cases which came up before the courts increased from 89,938 to 1,07,935. The number of persons under-trial also increased from 1,23,767 to 1,56,254 and the persons against whom orders were passed rose from 87,386 to 1,02,046.

5. **Result of trials**—The number of persons under-trial before magistrates was 3,13,553. Of the persons tried, 1,48,949 were acquitted or discharged, 1,36,591 were convicted, 8,671 were committed to sessions and 19,151 remained

Judicial Statement no. 4. (Courts of magistrate).

under-trial at the close of the year. Out of 1,59,142 perso[ns] under-trial for offences under the Indian Penal Code 37,7[..] were convicted and 1,03,955 acquitted or discharged. Th[e] results of trials before each class of magistrate during the yea[r] are shown below:

Class of tribunals	Acquitted or discharged	Convicted	Percentage of convictions
Stipendiary magistrates ...	94,974	84,750	43
Bench magistrates ...	37,231	38,662	48
Honorary magistrates sitting singly.	13,283	10,499	40

Of the persons convicted 18,437 were punished with imprisonment, 1,11,356 with fine and 896 with whipping. In addition to these sentences 12,168 persons were required to give security.

Sub-divisional magistrates disposed of 73 cases referred to them under sections 347 and 349 of the Code of Criminal Procedure.

The number of cases decided during the year was 1,55,873 against 1,31,212 in the previous year. The increase occurred in the courts of honorary magistrates, stipendiary special magistrates, bench magistrates and sub-divisional magistrates who disposed of 2,708, 1,074, 35,825 and 24 more cases respectively than in the previous year. The number of cases disposed of by stipendiary magistrates shows a decrease of 14,871 upon the previous year. The total number of cases disposed of by district magistrates was 100, the largest number having been decided by the District Magistrate of Budaun, which district topped the list in the previous year also. The percentage of convictions in the courts of magistrates *for* offences under the Indian Penal Code decreased *from* 27 % to 26 % but the percentage of convictions under all laws increased from 47 % to 48 %. This calls for no comment.

Section 203 of the Code of Criminal Procedure—The total number of cases summarily dismissed was 47,281 out of 2,27,254 cases reported during the year and pending from the previous year. The percentage of cases dismissed was 21, compared with 23 in 1938. The highest percentages of dismissal were in Muzaffarnagar 41, Saharanpur and Muttra

33 each and Pilibhit 31. The lowest percentages of dismissal were in Naini Tal and Hamirpur, 12 and 22 respectively. Of 87,052 offences reported under the Indian Penal Code 26,520 were dismissed under this section, giving a percentage of 30 compared with 34 last year. Saharanpur 56 %, Jhansi 42%, Mirzapur 41 %, Budaun, Muttra and Farrukhabad 39 % each, Dehra Dun and Muzaffarnagar 38 % each, Garhwal and Agra 37 % each, Etah, Jalaun and Gorakhpur 36 % each show the highest percentages. The lowest percentages were in Cawnpore 6%, Ballia 8%, Azamgarh 9%, Shahjahanpur 11%, Etawah 12%, Ghazipur 15%, Bareilly 17% and Fatehpur 20 %. It is impossible to deduce anything from these figures, for they merely show how many cases have been dismissed without showing how many cases originally dismissed were ultimately restored in revision.

Frivolous or vexatious accusations—The courts made use of section 250 of the Code of Criminal Procedure in 156 cases compared with 199 last year. There may have been fewer vexatious or frivolous cases during the current year, but if there were not, the decrease in action under section 250, Criminal Procedure Code, is unsatisfactory.

4. **Courts of Session**—The number of cases committed to sessions including those pending from the previous year, and references under Chapter VIII of the Code of Criminal Procedure rose from 2,515 to 2,912 and the number of persons concerned also rose from 8,858 to 10,780. Commitment increased in 28 districts. There were noteworthy increases in the number both of cases and of persons committed compared with 1938 at Mainpuri (from 56 and 137 to 94 and 337 respectively) and at Benares where the number of cases rose from 47 to 83 and the number of accused from 108 and 375. Out of 7,368 persons 3,163 were convicted, the percentage of convictions being 43 against 46 in the preceding year. The highest percentages of convictions were in Bareilly 77, Hamirpur 60, Farrukhabad 59, Etah 58, Jaunpur 57, Moradabad and Shahjahanpur 54 each, while the lowest percentages of convictions were in Pilibhit 16, Azamgarh 23, Jhansi 24, Garhwal 30 and Basti 34.

Life—The number of cases of offences against life rose from 1,161 to 1,322 and the number of persons committed also rose from 4,271 to 4,895. The largest decreases were in Bulandshahr and Farrukhabad, the number of cases having fallen by 13 and 11 and the number of persons involved by 95 and 29 respectively. The largest rises in the number of such cases were in Cawnpore 73%, Moradabad 71%, Banda 64%, Mainpuri 56 %, and Muzaffarnagar 46%.

Kidnapping.—Kidnapping cases showed a slight increase from 200 in 1938 to 205 this year. The highest figures were in Cawnpore, where there were 21 such cases involving 46 accused.

Rape—Cases of rape committed to sessions fell from 149 to 128, and the number of persons concerned from 206 to 189.

Robbery and dacoity—The number of commitments for robbery and dacoity increased from 345 to 464 and the number of persons involved also increased from 1,784 to 2,726.

PREVENTIVE SECTIONS

5. **Security for keeping the peace.**—The total number of persons bound over to keep the peace increased from 7,462 to 8,119. In Shahjahanpur proceedings were taken against 812 persons of whom 336 were bound over as compared with 64 in the previous year.

Security for good behaviour—The number of persons bound over to be of good behaviour increased from 4,192 to 4,260. The largest number of persons bound over were in Cawnpore (339), Shahjahanpur (321) and Budaun (259). The largest decreases were in Bulandshahr from 115 to 81, Moradabad from 123 to 85 and Ghazipur from 104 to 76.

Judicial Statement no. 4.

6. **Witnesses**—The number of witnesses examined in magisterial courts increased from 1,95,467 to 2,30,277 and in the courts of session also increased from 26,161 to 28,510. The number of witnesses who attended and were discharged without examination increased in magisterial courts from 26,555 to 36,338 and in the courts of session increased from 4,052 to 5,192. This increase both in the courts of magistrates and in the courts of session is unsatisfactory. It involves fruitless expense to Government for the greater part of these summoned witnesses have to be paid by the State. The Court is of the opinion that a certain amount of this unnecessary expense could be obviated by a study and an intelligent interpretation of section 216 of the Criminal Procedure Code. It lies within the power of magistrates whether trying cases or enquiring into a case triable by the courts of session, to refuse to summon any witness for the reasons contained in section 216.

The number of witnesses detained for more than 2 days in magisterial courts rose from 7,018 to 9,039. The largest increases in the number of witnesses so detained were in Bulandshahr, Farrukhabad, Basti and Mirzapur where figures rose from 521 to 1,084, 55 to 305, 104 to 392 and 298 to 424 respectively. In Bulandshahr 563 more witnesses

were so detained—the largest increase in the province. In the courts of session the number of witnesses detained over two days rose by 559 to 4,851. Twenty districts have contributed to this increase. The largest decreases were in Farrukhabad from 223 to 83, in Fatehpur from 169 to 77, and in Muttra from 116 to 34. The number of witnesses detained for more than two days increased in Jaunpur from 13 to 187, Jalaun from 3 to 176, Etawah from 167 to 308 and Muzaffarnagar from 55 to 172. The total amount paid as diet money to witnesses was Rs.1,88,783 in magisterial courts compared with Rs.1,71,076 in the preceding year, and Rs 54,135 in the courts of session against Rs.50,452. The total amount paid to witnesses increased by Rs.21,390.

Duration—The average duration of cases in all magisterial courts rose from 12 to 14 days. It rose from 13 to 15 in the courts of honorary magistrates, from 9 to 14 in the courts of stipendiary special magistrates, from 13 to 14 in the courts of stipendiary magistrates, from 5 to 9 in the courts of bench magistrates and from 3 to 6 in the courts of sub-divisional magistrates respectively. The average duration in the courts of district magistrates fell from 15 to 8. When it is borne in mind that in several large districts stipendiary magistrates have been faced with heavy files owing to the abolition of so many honorary magistrate courts, and with extra administrative work owing to communal disturbances, the increase, if any, in the average of duration of cases, is easily understood. In the courts of sessions judges it rose from 64 to 88 days. The average duration was the highest in Banda with 36 days. In Farrukhabad it was 31 days, in Ballia 28 days, in Mainpuri 25 days, in Jalaun and Fatehpur 23 days each. These are the highest figures. The average duration of cases increased in 23 districts. The lowest figures are shown by Naini Tal and Agra 6 days each, Jhansi 7, Dehra Dun 8 and Cawnpore 9.

Cases pending for over six weeks—The number of cases pending for over 6 weeks increased by 3,589 to 9,472. The number of such cases decreased in seven districts. Etawah, Naini Tal and Pilibhit reduced their number of such cases from 289, 25 and 36 to 254, 11 and 23 respectively. The most noticeable increases are shown by Cawnpore (from 258 to 731), Aligarh (from 345 to 697), Ballia (from 307 to 531), Benares (from 34 to 235), Budaun (from 103 to 303) and Jalaun (from 70 to 203). In Cawnpore the increase is attributed to the magistrates' work being disturbed by frequent riots and labour troubles. In Aligarh it is said to be

due to large increases in the number of cases together with shortage of staff. In Ballia the increase was due partly to want of accommodation for honorary courts and partly to shortage of staff. In Jalaun it was due to the fact that in a number of cases attendance of witnesses and accused persons from the neighbouring Indian States had to be secured.

7. **First offenders**—The total number of offenders released on probation under section 562 of the Code of Criminal Procedure in magisterial courts increased from 2,572 to 3,355. Twenty-four districts contributed to this increase, the most noticeable increases being in Meerut, Jhansi, Cawnpore and Gorakhpur.

Youthful offenders—The number of youthful offenders dealt with under section 31 of Act VIII of 1897 in magisterial courts increased from 199 to 406.

Judicial Statement no. 5.

Punishments—The number of persons sentenced to *death* by courts of session, including those whose cases were pending since the year 1938, decreased from 165 to 131. Thirty-three sentences were confirmed by the High Court, 19 accused were released on appeal and 35 had their sentences modified. No new trial was ordered. The cases of the remaining 44 were pending at the close of the year. The number of persons executed in the year under review was 17 against 24 in 1938. It is to be noted again, as was noted last year, that the percentage of persons executed to persons whose sentences of death were confirmed by the High Court has again dropped. The percentage this year is the lowest recorded in the last ten years being less than 52 %. Allowing for odd recommendations to mercy pending with Government at the close of the year, this means that clemency has been extended to more than 40% of accused persons who have been sentenced to death and whose sentences have been confirmed by the High Court. The number of persons sentenced to *transportation for life* fell by 47 to 267. The total number of persons sentenced to *rigorous imprisonment* increased from 13,925 to 15,712. Of these 1,970 received *imprisonment for periods exceeding two years.* The number of persons sentenced to *imprisonment for 6 months and under* increased from 7,901 to 9,420 and of those sentenced to *imprisonment for 2 years and under* decreased from 8,465 to 8,263. The number of persons sentenced to *imprisonment for 15 days and under* decreased from 1,617 to 1,539. The number of persons sentenced to *whipping* decreased from 546 to 451. The percentage of cases in which this form of punishment was inflicted out of those in which

it could have been inflicted fell from 21 to 19. Out of the persons sentenced to whipping 82 were juveniles.

9. **Fine**—The total amount of fines imposed in the courts of session rose from Rs.35,100 to Rs.40,654 but the total amount of fines realized in the courts of session fell from Rs.9,820 to Rs.6,059. In the magisterial courts the amount of fines imposed fell from Rs.8,07,959 to Rs.3,87,074 and the amount of fines realized also fell from Rs.5,70,765 to Rs.2,53,292. The amounts ordered to be paid by way of compensation under section 545 of the Code of Criminal Procedure in courts of session increased from Rs.276 to Rs.10,701 but in the magisterial courts decreased from Rs.31,617 to Rs.13,824. The increase in this amount in sessions cases is due mainly to two large bank fraud cases in the Bijnor district. Table D.

10. The total number of appellants before courts was 29,756 against 27,364 in 1938. The number of applicants for revision increased from 6,837 to 7,484. In magisterial courts the number of appellants rose from 8,843 to 10,432 and in courts of session rose from 14,845 to 15,797. Judicial statement no. 6.

HIGH COURT

The total number of appellants in the High Court decreased from 3,517 to 3,337. The number of accused persons before the High Court on appeal by Government increased from 159 to 200. The average duration of all appeals in the province rose from 52 to 55 days. The duration of appeals in the High Court by persons convicted rose from 139 to 158 days. This increase in duration of appeals before the High Court would seem to show that the High Court did less criminal work or did it less expeditiously than last year. The converse is the truth. The increase in duration is due to the policy pursued of disposing of old and complicated criminal cases which for one reason or another had accumulated in the year under review. As a result of this policy the Hausil Gang Case (of 1936), the Mirtunjay Gang Case (of 1935), the Amarpur Riot Case (the hearing of which lasted one month) and the Budaun Terminal Tax Case were all finished. It was inevitable that on paper the average duration should appear higher as a result.

11. The total number of appellants in the High Court including the persons against whom Government filed appeals fell from 3,676 to 3,537. Of 2,408 persons whose appeals were decided during the year under review, 1,427 were completely unsuccessful. The percentage is more or less the same as last year. Four hundred and three persons had their sentences modified and 4 persons died. The sentences of 574

persons were reversed. No new trial was ordered in any case. The appeals of 1,129 persons remained pending at the close of the year. Two thousand seven hundred and ten persons compared with 2,511 in 1938 filed applications for revision. The applications of 2,133 persons were rejected. Orders were modified against 785 persons. Cases of 309 persons remained pending at the close of the year. Applications for revision against 519 accused were filed by 117 complainants.

The number of Government appeals before the Court was 42 involving 200 accused persons. Twenty-eight appeals involving 153 accused persons were decided during the year. Against 36 persons the appeals were allowed ; against 2 persons partly allowed and partly dismissed ; and against 115 persons were dismissed entirely. No new trial was ordered and 14 appeals comprising 45 accused persons remained pending at the end of the year.

12. The system of trial by jury was in force as before in the courts of session at Allahabad, Bareilly, Benares and Cawnpore for the following offences :

(1) False evidence and offences against public justice —sections 194(I), 195, 201(I), 211(III), 213(I) 214(I), 225(III, IV and V) and 226 of the Indian Penal Code.

(2) Offences affecting the public health, safety, convenience, decency and morals—section 281 of the Indian Penal Code.

(3) Offences relating to religion—sections 295(*a*) of the Indian Penal Code.

(4) Offences affecting the human body—sections 331, 312, 313, 314, 315, 316, 328, 329, 330, 331, 364, 366, 366(*a*), 366(*b*), 367, 370, 371 and 376 (Parts II and III) of the Indian Penal Code.

(5) Offences against property—sections 395, 397, 398, 399, 402, 412, 413, 414, 433, 437, 438, 439, 449, 450, 459 and 460 of the Indian Penal Code.

(6) Offences relating to documents and to trade or property marks—sections 466, 467, 471, 472, 473, 474, 475, 476, 477, 489(*a*), 489(*b*), 489(*c*) and 489(*d*) of the Indian Penal Code.

(7) Offences relating to marriage—sections 493, 495 and 496 of the Indian Penal Code, and

(8) Abetment of or attempts to commit any of the above offences, and for the following offences when committed to sessions:

(1) Contempts of the lawful authority of public servants—section 181 of the Indian Penal Code.

(2) Offences relating to false evidence and against public justice—sections 193, 196, 197, 198, 199, 200, 201 (Parts II and III), 205, 211 (Part II), 212 (Parts I and II), 213 (Part II), 214 (Part II), 216 (Parts I and II), 216(*a*), 225 (Part II) and 227 of the Indian Penal Code.

(3) Offences affecting the human body—sections 317, 318, 327, 335, 344, 345, 346, 347, 348, 363, 365, 368, 369, 372, 373, 376 (Part I) and 377 of the Indian Penal Code.

(4) Offences against property—sections 381, 382, 393, 394, 401, 404, 406, 407, 408, 411, 418, 419, 420, 429, 430, 431, 432, 440, 451, 454, 456, 457, 458 and 462 of the Indian Penal Code.

(5) Offences relating to documents and to trade or property marks—sections 465, 468, 469, 470, 477(*a*), 484, 485, 487 and 488 of the Indian Penal Code.

(6) Offences relating to marriage—sections 494 and 497 of the Indian Penal Code.

(7) Offences relating to criminal intimidation, insult, annoyance—sections 506 (Part II) and 507 of the Indian Penal Code, and

(8) Abetment of or attempts to commit any of the above offences.

The number of persons tried by jury in these courts increased from 340 to 409. The cases of 43 persons were referred to the High Court under section 307 of the Code of Criminal Procedure compared with 15 in 1938. The High Court dealt with 9 of these references. The Court upheld the verdict of the jury in 5 cases, set aside the verdict of the jury in 3 cases and ordered the remaining 1 case to be returned to the lower court for further orders. The rest remained pending. The number of persons tried with the aid of assessors rose from 6,231 to 6,873. The judge agreed with all the assessors in the cases of 3,749 accused, differed from one or more but not from all, in the cases of 1,724 and differed from all in the cases of 1,400.

13. No Hon'ble Judge inspected any criminal court during the year under review.

HONORARY MAGISTRATES

14. Honorary magistrates continued to help in the administration of criminal justice as in the previous year. They decided the cases of 1,00,166 persons out of the total number of 3,01,831 persons whose cases were decided throughout the province. These figures, it is to be understood, include not only Indian Penal Code offences but offences under Local Acts, etc. and must not be read to mean that honorary magistrates disposed of about 33% of the bulk of criminal work in the province. A list of honorary magistrates whose work has been specially commended by district magistrates is given in Statement H.

N. STORR, I.C.S.,
Registrar.

ALLAHABAD:
Dated 30*th September*, 1940.

IMPERIAL STATEMENTS

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing the number of judicial divisions and the number of officers during the

Province.	Judges of Chief Court of Province.	Number of Sessions Divisions	Number of Districts	Sessions Judges.	Other Judges.
1	2	3	4	5	6
Agra	(a) 11	19	36	(b) 23	(c) 48

(a) The number of Judges of the High Court was 11 throughout the year.

(b) Did both Civil and Criminal work.

(c) Of these 41 did both Civil and Criminal work.

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing offences and persons tried, convicted and acquitted of each

Description of offence.	Number of offences reported. In and pending from the previous year.	During the year.	Number returned offences In and pending from the previous year.
1	2	3	4
OFFENCES UNDER THE INDIAN PENAL CODE			
Criminal Conspiracy, Chapter V-A ..	..	3	..
Offences against the State, Chapter VI	..	25	..
Offences relating to the Army or Navy, Chapter VII	1	37	2
Offences against the Public Tranquillity, Chapter VIII ..	231	2,104	174
Offences by or relating to Public Servants, Chapter IX ..	15	237	11
Offences relating to elections, Chapter IX-A ..	3	16	1
Contempts of the Lawful Authority of Public Servants, Chapter X ..	90	3,757	73
False evidence and offences against Public Justice, Chapter XI ..	105	705	62
Offences relating to Coin, and Chapter XII	7	47	7
Government Stamps Chapter XII	5	18	5
Offences relating to Weights and Measures, Chapter XIII	..	111	..
Offences affecting the Public Health, Safety, Convenience, Decency and Morals, Chapter XIV.	50	2,796	44
Offences relating to Religion, Chapter XV ..	15	162	6
Offences affecting the human body, Chapter XVI. — Offences affecting Life ..	159	1,681	135
Causing of Miscarriage, Injuries to Unborn Children, Exposure of Infants and the Concealments of Births.	12	72	8
Hurts ..	1,860	26,154	1,252
Wrongful Restraints and Wrongful Confinements ..	55	543	43
Criminal Force and Assault ..	220	2,373	144
Kidnapping, Forcible Abduction, Slavery and Forced Labour	86	1,028	53
Rape ..	18	190	17
Unnatural Offences ..	5	75	4

NO. 1 (CRIMINAL).

revised statements nos. 25 and 26.

exercising original or appellate jurisdiction and the number of cases decided year 1939.

District Magistrates.	Other Magistrates—		Total number of cases decided—			
	Stipendiary.	Honorary.	Original—		Appeals—	
			Regular.	Miscellaneous.	Regular.	Miscellaneous.
7	8	9	10	11	12	13
(d) 52	(e) 489	(f) 338	1,57,999	18,862	12,815	4,252

(*d*) Of these 2 are entered in column 6, who are deputy commissioners.

(*e*) Of these only 60 did both Civil and Criminal work.

(*f*) Of these 169 are benches.

NO. 2 (CRIMINAL).

revised statement no. 35.

class of offence in the Agra Province during the year 1939.

of offences as true of reported— During the year.	Number of cases brought to trial during the year.	Number of persons— Under-trials during the year, including pending from the previous year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under-trials.	Number of complaints dealt with under section 250 of the Code of Criminal Procedure, 1898.
5	6	7	8	9	10	11	12
3	3	4	..	..	..	4	..
19	17	55	12	9	..	34	..
32	28	97	29	46	..	22	..
1,839	1,896	11,556	5,071	4,406	11	2,068	1
199	194	458	248	156	2	52	..
16	17	22	13	7	..	2	..
3,543	3,554	6,128	842	5,160	3	123	..
598	608	933	362	473	2	96	..
44	52	110	29	61	1	19	..
14	19	23	2	18	1	2	..
103	110	108	30	77	..	1	..
1,888	2,060	2,341	602	1,636	2	101	..
106	103	455	394	47	..	14	..
1,633	1,657	6,551	2,403	1,807	27	2,314	..
57	68	114	80	34	..	..	..
17,588	16,010	53,866	42,150	7,318	28	4,370	70
324	318	1,291	905	208	4	174	..
2,030	1,790	5,372	4,309	711	3	349	8
586	531	1,658	940	279	4	435	..
143	145	272	118	88	..	66	..
73	72	119	53	58	1	7	..

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing offences and persons tried, convicted and acquitted of each

Description of offence.		Number of offences reported— In and pending from the previous year.	During the year.	Number of returned as offences In and pending from the previous year.
1		2	3	4
Offences against property, Chapter XVII: Theft		816	10,006	590
Extortion		16	344	9
Robbery and Dacoity		125	1,180	73
Criminal Misappropriation of Property		14	163	13
Criminal Breach of Trust		175	1,844	104
Receiving of Stolen Property		42	856	37
Cheating		227	2,212	138
Fraudulent Deeds and Disposition of Property		36	409	17
Mischief		274	4,294	185
Criminal Trespass		815	6,200	591
Offences relating to Documents and to Trade or Property Marks, Chapter XVIII.		37	203	19
Criminal Breach of Contracts of Service, Chapter XIX		1	39	..
Offences relating to Marriage, Chapter XX		307	4,928	131
Defamation, Chapter XXI		55	663	46
Criminal Intimidation, Insult and Annoyance, Chapter XXII		130	2,555	74
Total under the Indian Penal Code		6,007	81,045	4,068
II—OFFENCES UNDER THE CODE OF CRIMINAL PROCEDURE AND SPECIAL LOCAL LAWS.				
Chapter VIII—Security for Keeping Peace		530	6,636	351
Ditto Security for Good Behaviour		282	3,488	268
Other laws relating to—				
Arms, Ammunition and Military Stores Act no.	XI of 1878	48	539	42
Northern India Canal and Drainage " "	VIII of 1873	40	1,813	35
Cantonment, Military " "	II of 1924	110	3,684	106
Cattle Trespass " "	I of 1871	45	265	27
Criminal Tribes " "	VI of 1924	70	996	56
Emigration Inland Acts " "	VII of 1922	2	37	2
Excise " "	IV of 1910	275	4,101	175
Factories " "	XII of 1911	2	29	2
Ferries " "	XVII of 1878	5	53	5
Forest " "	XVI of 1927	20	234	21
Gambling " "	III of 1867	157	1,401	142
Hackney and Stage Carriages " "	XIV of 1879	306	13,351	204
Municipalities " "	II of 1916	2,628	45,428	1,996
Opium " "	I of 1879	33	469	12
Police District " "	V of 1861	1,145	13,602	1,076
Town Police " "	XX of 1856	1	300	1
Village and Road Police " "	XVI of 1873	2	78	1

(a) Includes 71 }
(b) " 2 } persons whose cases
(c) " 37 } under section 123 of
(d) " 32 }

NO. 2 (CRIMINAL)—(*continued*).
revised statement no. 35.
class of offence in the Agra Province during the year 1939.

offences true of reported— During the year.	Number of cases brought to trial during the year.	Number of persons— Under-trials during the year, including pending from the previous year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under-trial.	Number complain[ts] dealt with und[er] section 2[..] of the Co[de] of Crimi[nal] Procedu[re] 1898.
5	6	7	8	9	10	11	12
7,996	8,121	20,026	12,522	5,847	19	1,638	2
181	174	522	449	26	..	47	..
826	795	4,430	2,055	817	10	1,548	
117	114	198	140	39	..	19	..
1,201	1,107	1,555	1,070	315	4	166	
863	909	1,527	513	896	4	114	
1,168	1,086	2,026	1,437	351	2	236	..
269	248	834	663	115	..	56	
2,460	2,298	8,040	6,405	991	7	637	..
7,407	7,668	20,079	12,977	5,250	21	1,831	1
188	145	316	190	33	4	89	
47	31	73	57	4	..	12	
2,544	2,020	4,908	4,270	225	3	410	..
333	324	854	743	58	1	52	
915	774	2,221	1,872	171	1	177	..
57,358	55,061	1,59.142	1,03,955	37,737	165	17,285	14
4,589	4,368	33.121	22.248	8,119	10	2,744	..
3,495	3,689	(*a*)5,405	(*b*)495	(*c*)4,297	4	(*d*)609	..
539	555	671	125	478	5	63	..
1,708	1,737	4,652	2,488	2,095	7	62	
2,728	2,502	2,730	781	1,926	..	23	..
172	454	1,074	779	255	..	40	
962	975	1,013	45	940	4	24	..
35	36	36	4	32	..	..	..
4,039	3,948	4,852	1,013	3,542	8	289	..
28	27	37	5	31	..	1	..
49	51	122	83	37	..	2	
203	222	473	287	183	2	1	..
1,410	1,491	10,020	1,313	8,137	3	567	
12,323	11,891	12,175	1,078	11,068	..	29	..
36,354	33,759	34,303	11,034	23,032	3	234	..
468	430	668	151	464	..	53	..
16,835	15,995	16,481	963	15,486	6	26	
279	275	302	31	270	..	1	..
74	75	82	13	69	..	..	..

were referred to the courts of session
the Code of Criminal Procedure.

JUDICIAL STATEMENT

Correspondi ng to Government of India

Statement showing offences and persons tried, convicted and acquitted of each

Description of offence		Number of offences reported— In and pending from the previous year	During the year	Number of returned offence In and pending from the previous year
1		2	3	4
Post Offices .. .. .. Act no.	VI of 1898	..	13	..
Prevention of Cruelty to Animals .. " "	XI of 1890	70	5,985	43
Prisons .. .. " "	IX of 1894	8	56	2
Copy Right .. .. .. " "	III of 1914	..	6	..
Sugar Factory Control, (U. P.) .. .. " "	I of 1938	6	82	5
Railways .. .. " "	IX of 1890	180	5,099	51
Registration .. .. .. " "	XVI of 1908	..	3	..
Trade Union .. .. .. " "	XVI of 1926	..	2	..
Stamp .. .. " "	II of 1899	13	249	13
Vaccination .. .. .. " "	XIII of 1880	..	497	..
Press .. .. " "	I of 1910	39	4	39
Workmen's Breach of Contract .. .. " "	XII of 1920	..	1	..
Town Areas .. .. .. " "	II of 1914	21	2,121	21
Sanitation .. .. .. " "	II of 1892	..	40	..
Motor Vehicles .. .. .. " "	VIII of 1914	244	4,587	172
Compulsory Education .. .. " "	I of 1926	204	3,433	137
Prevention of Adulteration of Food and Drugs " "	VI of 1912	72	1,643	42
District Boards .. .. .. " "	X of 1922	76	4,035	53
Treasure Trove .. .. .. " "	VI of 1878	1	2	1
Explosive Substances .. .. " "	VI of 1908	..	4	..
Insolvency .. .. .. " "	V of 1920	5	13	3
Notified Area .. .. .. " "	II of 1916	11	1,197	5
Water Works .. .. .. " "	I of 1891	1	..	1
Petroleum .. .. .. " "	VIII of 1899	7	83	..
Opium Smoking .. .. .. " "	II of 1925	6	54	6
Protection of Wild Birds and Animals .. " "	VIII of 1912	..	1	..
Indian Fisheries .. .. .. " "	IV of 1897	..	2	..
Indian Mines .. .. .. " "	IV of 1923	..	2	..
Indian Telegraph .. .. .. " "	XIII of 1885	..	8	..

NO 2 (CRIMINAL)—(*continued*).

revised statement no. 35.

class of offence in the Agra Province during the year 1939.

offences as true of reported—		Number of persons—					
During the year	Number of cases brought to trial during the year	Under-trials during the year, including pending from the previous year	Acquitted or discharged	Convicted	Died, escaped or transferred to another province	Remaining under-trials	Number of complaints dealt with under section 250 of the Code of Criminal Procedure, 1898
5	6	7	8	9	10	11	12
12	12	15	6	8	..	1	..
5,582	5,345	5,588	232	5,333	..	23	
51	45	66	5	53	..	8	..
2	2	3	3	..	..	..	
29	28	34	17	15	..	2	..
4,563	4,167	4,427	469	3,317	2	139	..
3	3	6	3	3	..	..	..
2	2	4	1	3	..	..	..
219	212	241	32	203	3	3	..
467	403	403	334	69	..	..	1
4	43	43	14	29	..	..	..
1	1	1	1	..	..	..	..
1,744	1,673	1,756	585	1,148	1	22	..
40	39	39	9	30	..	..	..
3,621	3,384	4,167	733	3,304	4	126	..
3,119	2,842	2,849	688	2,157	..	4	1
1,436	1,531	1,564	164	1,346	1	53	..
3,622	3,656	3,791	1,145	2,603	..	43	..
2	2	3	2	1	..	..	..
4	4	8	6	1	..	1	..
13	13	13	1	9	..	3	..
941	525	530	224	293	..	13	..
..	1	1	..	1	..	..	..
30	29	31	1	28	..	2	..
54	37	181	33	132	..	16	..
1	1	1	..	1	..	..	..
2	2	4	..	4	..	..	..
2	2	2	..	2	..	..	..
2	2	2	..	2	..	..	..

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing offences and persons tried, convicted and acquitted of each

Description of offence.		Number of offences reported—		Number of returned as offences
		In and pending from the previous year	During the year	In and pending from the previous year
1		2	3	4
Naik Girls Protection .. .. .. Act no.	II of 1929	..	3	..
Improvement Trust .. .. .. " "	II of 1916	11	124	11
District Boards Primary Education .. " "	VII of 1919	..	32	..
Indian Companies .. .. .. " "	VII of 1913	..	4	..
Indian Electricity .. .. .. " "	IX of 1910	1	251	1
Cinematograph .. .. .. " "	II of 1918	..	3	..
Child Marriage Restraint .. .. " "	XIX of 1929	50	989	34
Dangerous Drugs .. .. .. " "	II of 1930	2	11	2
Goonda .. .. " "	I of 1932	2	5	2
Reformatories .. .. .. " "	VIII of 1897	..	20	..
Excise Duty (Matches) .. " "	XVI of 1934	..	2	..
United Provinces Emergency Powers Ordinance " "	XII of 1931	..	1	..
Private Education Enforcement .. .. " "	I of 1926	58	631	43
Lunacy .. .. " "	IV of 1912	..	2	..
Cocaine .. .. " "	IV of 1930	1	7	1
Motor Vehicles Taxation .. .. " "	V of 1935	..	19	..
Poisons .. .. " "	XII of 1919	..	1	..
Entertainment and Betting Tax (U. P.) .. .. " "	VIII of 1937	2	23	1
Income-tax .. .. " "	XI of 1922	1	..	1
Printing Press .. .. .. " "	X of 1890	..	20	..
Village Chaukidari .. .. .. " "	XX of 1856	..	2	..
Defence of India .. .. .. " "	XXXV of 1939	..	18	..
Muslim Waqfs .. .. .. " "	XIII of 1936	..	1	..
Indian Army .. .. " "	VIII of 1911	..	1	..
Labour Taxation .. .. .. " "	of	..	1	..
Customs .. .. " "	XIX of 1924	..	8	..
Wireless Telegraphy .. .. "	XVII of 1933	9	25	7
Immoral Traffic .. .. .. " "	of	..	2	..
Tube Well .. .. " "	XII of 1936	..	1	..
Settlement .. .. " "	III of 1901 (Section 58)	..	1	..
Indian Medical Degrees.. .. .. " "	III of 1917	..	1	..
Total, under the Code of Criminal Procedure, Special and Local Laws.		6,747	1,33,447	5,219
Total, under the Indian Penal Code ..		6,007	81,045	4,068
GRAND TOTAL ..		12,754	2,14,492	9,287

No. 2 (Criminal)—(*concluded*)

revised statement no. 35

class of offence in the Agra Province during the year 1939

offences true of reported— During the year	Number of cases brought to trial during the year	Number of persons— Under-trials during the year, including pending from the previous year	Acquitted or discharged	Convicted	Died, escaped or transferred to another province	Remaining under-trials	Number of complaints dealt with under section 250 of the Code of Criminal Procedure, 1898
5	6	7	8	9	10	11	12
3	3	3	1	2	..	..	..
119	65	59	6	53	..	..	..
32	27	27	19	8	..	..	..
3	3	3	1	2	..	..	..
243	181	242	49	192	..	1	..
3	3	4	..	4	..	..	..
438	706	1,206	901	283	..	22	2
11	12	16	4	12	..	...	..
5	5	5	2	2	..	..	..
20	20	23	..	23	..	..	..
2	1	1	..	1	..	..	..
1	..	..	..	..	..	..	..
479	501	501	186	309	..	6	..
2	2	2	2	..	..	..	..
6	7	10	4	5	..	1	..
17	17	18	10	8	..	..	..
1	1	1	..	1	..	..	..
22	24	42	5	37	..	..	..
..	1	4	..	4	..	..	..
19	18	21	5	15	..	1	..
1	1	1	..	1	..	..	..
17	16	24	8	4	..	12	..
..	..	..	..	..	..	..	..
1	1	1	..	1	..	..	..
1	1	1	..	1	..	..	..
8	8	8	1	7	..	..	..
27	33	37	7	30	..	..	..
2	2	2	2	..	..	..	..
1	1	1	..	1	..	..	..
1	1	2	..	2	..	..	..
1	1	1	..	1	..	..	..
1,13,635	1,07,935	1,56,254	48,864	1,0,046	63	5,281	16
57,358	55,061	1,59,142	1,03,955	37,737	165	17,285	140
1,60,993	1,62,996	3,15,396	1,52,819	1,39,783	*228	22,566	156

* of these 198 died and 30 escaped.

JUDICIAL STATEMENT

Corresponding to Government of Indi

Statement showing the general result of criminal trials

Class of tribunals.	Total number of offences reported— In and pending from the previous year.	During the year.	Total number of persons under trial.	Died, escaped or transferred to another province.	Persons whose cases — Discharged or acquitted.	On regular trial— Sentenced.	Released on probation, section 562, Code of Criminal Procedure, 1898.	Youthful offenders dealt with under section 31 of Act VIII of 1897— Discharged after admonition.	Delivered to parents or guardians, etc.
1	2	3	4	5	6	7	8	9	10
Subordinate magistrates.									
Honorary magistrates sitting singly (section 14).	..	..	26,380	(*a*)20	13,283	9,018	274	7	..
Stipendiary special magistrates (section 14).	..	..	6,266	(*b*)10	3,331	2,292	22	..	1
Stipendiary Magistrates sitting singly (section 12).	..	..	1,99,394	(*c*)133	94,974	55,562	1,622	138	12
Benches of magistrates (section 15).	..	..	81,128	(*d*)28	37,231	36,307	247	..	..
District and divisional magistrates.									
Cases referred under sections 347, 349 and 562 of the Code of Criminal Procedure, 1898.	..	..	109	..	10	44	50	..	..
Chief magistrates of districts.	..	..	276	..	120	70	..	..	..
Total ..	..	..	3,13,553	(*e*)191	1,48,949	1,03,293	2,215	145	13
Courts of session ..	..	..	10,808	(*f*)29	4,205	3,150	9	1	3
High Court of Judicature at Allahabad.	..	..	..	..	..	..	..	..	..
Total ..	..	..	10,808	(*g*)29	4,205	3,150	9	1	3
GRAND TOTAL ..	..	..	3,24,361	(*h*)220	1,53,154	1,06,443	2,224	146	16

No. 4 (Criminal).

revised statement no. 33.

in the tribunals of various classes during the year **1939.**

were disposed of— Victed— On summary trial— Sentenced.	Released on probation, section 562, Code of Criminal Procedure, 1898	Youthful offenders dealt with under section 31 of Act VIII of 1897— Discharged after admonition.	Delivered to parents or guardians, etc.	Committed or referred.	Persons remaining under trial at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted.	Number of witnesses examined.	Remarks.
11	12	13	14	15	16	17	18	19	20
1,186	14	..	..	312	2,266	13,136	15	18,664	(*a*) Of these 18 died and 2 escaped.
147	5	..	..	244	214	2,555	14	4,917	(*b*) Of these 9 died and 1 escaped.
26,053	1,115	222	26	7,955	11,582	88,304	14	1,67,546	(*c*) Of these 110 died and 23 escaped.
2,108	..	..	..	131	5,076	51,705	9	39,070	(*d*) Of these 25 died and 3 escaped.
..	5	..	..	..	..	73	6	..	
43	1	..	..	29	13	100	8	80	
29,537	1,140	222	26	8,671	19,151	1,55,873	13	2,30,277	(*e*) Of these 162 died and 29 escaped. 191
..	..	..	..	32	3,379	2,130	88	28,510	(*f*) Of these 27 died and 2 escaped.
..	..	..	..	..	..	..	..	..	
..	..	..	..	32	3,379	2,130	88	28,510	(*g*) Of these 27 died and 2 escaped. 29
29,537	1,140	222	26	8,703	22,530	1,58,003	14	2,58,787	(*h*) Of these 189 died and 31 escaped. 220

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing the punishments inflicted by the

Class of tribunals.	Number of persons executed.	Number of persons: Death	Transportation or penal servitude.	Imprisonment.	Fine or forfeiture.	Whippings.
1	2	3	4	5	6	7
Subordinate magistrates.						
Honorary magistrates sitting singly (section 14).	..	..	..	1,802	9,201	6
Stipendiary special magistrates (section 14).	..	..	..	224	2,267	..
Stipendiary magistrates, sitting singly (section 12).	..	..	..	15,937	61,698	387
Bench magistrates (section 15)	..	..	..	916	38,090	1
District and divisional magistrates.						
Cases referred under sections 347 and 349 of the Code of Criminal Procedure, 1898.	..	..	..	40	1	1
Chief magistrates of districts	..	..	..	18	99	1
Total ..	..	..	..	18,437	1,11,356	396
Courts of session	..	..	267	2,755	315	55
High Court of Judicature at Allahabad. — Cases committed	..	..	..	..	..	..
High Court of Judicature at Allahabad. — Cases referred ..	17	33	..	..	..	..
Total ..	17	33	267	2,755	315	55
GRAND TOTAL ..	17	33	267	21,192	1,11,671	451

No. 5 (Criminal).

revised statement no. 36.

various criminal tribunals during the year 1939.

sentenced to—			Total amount of fine.			Number of persons sentenced to imprisonment of—			
	Fine of—								
Give security.	Rupees 10 and under.	Over Rs.10.	Imposed.	Realized.	Paid as compensation.	Fifteen days and under.	Above 15 days to 6 months.	Above 6 months to 2 years.	Above 2 years.
8	9	10	11	12	13	14	15	16	17
229	7,986	1,215	66,929	40,233	4,467	180	848	274	..
6	1,859	408	18,944	16,747	100	46	92	86	..
11,919	47,588	14,110	6,71,955	4,60,405	27,283	1,138	7,594	7,198	7
..	35,853	2,237	1,07,794	69,775	3,163	164	690	62	..
..	1	..	10	10	..	..	13	27	..
14	66	33	2,253	1,146	10	3	8	7	..
12,168	93,353	18,003	8,67,885	5,88,316	35,023	1,531	9,245	7,654	7
37	17	298	40,654	6,059	10,701	8	175	609	1,963
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
37	17	298	40,654	6,059	10,701	8	175	609	1,963
12,205	93,370	18,301	9,08,539	5,94,375	45,724	1,539	9,420	8,263	1,970

JUDICIAL STATEMENT

Corresponding to Government of India

Statement showing the result of appeals and revisions in

Class of tribunals.		Number of		
		Total number of appellants and applicants for revision before the court.	Died, escaped or transferred to another province.	Appeals or applications rejected.
1		2	3	4
Appeals.				
To chief magistrates of districts		10,432	*4	626
To courts of session		15,797	*15	3,948
High Court of Judicature at Allahabad.	By persons convicted ..	3,337	*2	445
	By Government from judgment of acquittal.	200	*2	..
	Total ..	29,766	*23	5,019
Revisions.				
By chief magistrates of districts		(a) 553	*2	2,083
By courts of session		(b) 4,221	*1	5,823
High Court of Judicature at Allahabad.	By persons convicted ..	(c) 2,710	*1	1,825
	By Government	(d) ..	*1	14
	Total ..	7,484	*5	9,745
	GRAND TOTAL ..	37,250	*28	14,764

(a) Excludes 2,415 accused persons whose cases were
(b) " 5,053 " " "
(c) " 417 " " "
(d) " 102 " " against whom

No. 6 (CRIMINAL).

revised statement no. 34.

criminal cases in the Agra Province for the year 1939.

persons.						
Sentences or order confirmed.	Sentences altered.	Sentences reversed	Otherwise disposed of	Pending trial.	Average number of days during which each appeal or revision case lasted.	Remarks.
5	6	7	8	9	10	11
3,377	1,258	3,050	158	1,959	49	*Died.
4,427	1,678	2,717	104	2,908	46	*Died.
867	..	403	536	1,084	158	*Died.
115	..	..	38	45	416	
8,786	2,936	6,170	836	5,996	55	*Died.
..	..	70	380	431	44	*Died.
..	..	34	1,070	1,846	62	*Died.
751	40	205	513	292	59	*Died.
43	15	..	12	17	489	*Died.
794	55	309	1,975	2,586	58	*Died.
9,580	2,991	6,479	2,811	8,582	56	*Died.

called for in revision on 675 applications of complainants.

" " 1,390 " "

" " 85 " "

16 applications for revision were filed by Government.

PROVINCIAL STATEMENTS

JUDICIAL STATEMENT No. 3—(CRIMINAL).

Statement of miscellaneous proceedings in the criminal courts of the Agra Province under the Code of Criminal Procedure during the year 1939.

Nature of proceedings.	Total number of cases before the courts during the year.	Number of persons concerned	Number of persons discharged.	Number of persons convicted.	Number of persons remaining under trial.	Remarks.
1	2	3	4	5	6	7
1. Proceedings against witnesses, Chapter VI (C) and section 485.	124	196	124	36	36	
2. Proceedings under Chapter VIII to prevent breach of the peace.	4,368	(*a*)33,121	22,248	8,119	2,744	(*a*) Of these 9 died and 1 escaped.
3. Proceedings under Chapter VIII—security for good behaviour.	3,689	(*b*)5,334	493	4,260	557	(*b*) Of these 3 died and 1 escaped.
4. Proceedings against local nuisances, Chapter X.	2,569	8,447	5,596	601	2,320	
5. Possession, Chapter XII ..	6,318	30,755	13,230	4,118	3,407	
6. Frivolous or vexatious accusations summarily dealt with under Chapter XX, section 250.	199	203	12	175	16	
7. Non-attendance of jurors or assessors, Chapter XXIII, section 332.	77	(*c*)81	62	21	7	(*c*) Of these 1 died.
8. Maintenance, Chapter XXXVI.	1,025	1,032	806	143	83	
9. Forfeiture of bail or recognizance, Chapter XLII.	883	1,174	725	340	109	
10. Proceedings under Chapter XLVI, section 563, against convicted offenders released under section 562.	91	120	62	57	1	
11. Applications against the order of the magistrates refusing bail under sections 100 and 512, Criminal Procedure Code.	5	22	..	22	..	
12. Objection against the attachment of property in connexion with fine.	1	1	..	1	..	
Total ..	19,354	70,486	43,278	17,893	9,300	

JUDICIAL STATEMENT No. 5A—(CRIMINAL).

Statement showing the particulars of whipping inflicted by the criminal tribunals in the Agra Province during the year 1939.

PART I.

SHOWING WHIPPING INFLICTED UNDER SECTIONS 3 AND 4 OF ACT IV OF 1909 IN LIEU OF OTHER PUNISHMENTS.

Offences for which awarded.	Number of persons awarded.	Remarks.
1	2	3
In lieu of other punishments—section 3 of Act IV of 1909.		
1. Theft, as defined in sections 378 and 379, Indian Penal Code.	90	
2. Theft, as defined in sections 380 and 381, Indian Penal Code.	60	
3. Theft, as defined in section 382, Indian Penal Code.	39	
4. Lurking house-trespass, as defined in section 443, Indian Penal Code.	12	
5. Lurking house-trespass by night, as defined in section 444, Indian Penal Code.	10	
6. House-breaking, as defined in section 445, Indian Penal Code.	3	
7 House-breaking by night, as defined in sections 446, 452, 457 and 454, Indian Penal Code.	72	
Section 4 of Act IV of 1909.		
8 Abetment, commission or attempt to commit rape, as defined in sections 374 and 375, Indian Penal Code.	5	
9. Compelling or inducing of persons by fear of bodily injury to submit to an unnatural offence, as defined in section 377, Indian Penal Code.	11	
10. Voluntarily causing hurt in committing or attempting to commit robbery, as defined in section 391, Indian Penal Code.	1	
11. Receiving of stolen property, as defined in section 411, Indian Penal Code.	4	
Total ..	307	
12. Offences under sections $\frac{127}{130}$ Indian Penal Code..	1	
13. Offences under sectian 411, Indian Penal Code ..	4	
14. Offences under secrion 494 Indinn Penal Code ..	1	
15. Offences Act IX of 1894	4	
16. Offences under Prisons Act..	2	
Total ..	12	
GRAND TOTAL ..	319	

PART II.

Showing whipping inflicted in addition to other punishments, section 4, Act IV of 1909.

Offences for which awarded.	Number of persons awarded.	Remarks.
1	2	3
In addition to other punishments (section 4).		
1. Abetment, commission or attempt to commit rape, as defined in sections 375 and 376, Indian Penal Code.	28	
2. Compelling or inducing any person by fear of bodily injury to submit to an unnatural offence, as defined in section 377, Indian Penal Code.	4	
3. Dacoity, as defined in section 391, Indian Penal Code.	14	
Total ..	46	
4. Offences under section 52 of Act IX of 1894.	6	
Total ..	6	
GRAND TOTAL ..	52	

PART III.

Showing whipping inflicted under section 5 of Act IV of 1909 on juveni in lieu of other punishments.

Offences for which awarded.	Number of juveniles awarded.	Remarks.
1	2	3
1. Counterfeit, as defined in section 236, Indian Penal Code.	1	
2. Theft, as defined in section 379, Indian Penal Code.	42	
3. Theft in dwelling house, etc., as defined in section 380, Indian Penal Code.	4	
4. Theft by clerk or servant of property in possession of master, as defined in section 381, Indian Penal Code.	1	
5. Lurking house-trespass or house-breaking in order to commit offence punishable with imprisonment, as defined in section 454, Indian Penal Code.	9	
6. Lurking house-trespass or house-breaking by night in order to commit offence punishable with imprisonment, as defined in section 457, Indian Penal Code.	8	
7. Offences under sections 126/130, Indian Penal Code.	6	
8. Offences under section 224, Indian Penal Code ..	1	
9. Offences under section 241, Indian Penal Code ..	1	
10. Offences under section 376, Indian Penal Code ..	4	
11. Offences under section 411, Indian Penal Code ..	1	
12. Offences under section 326, Indian Penal Code ..	2	
13. Offences under section 332, Indian Penal Code ..	2	
14. Gambling Act	2	
15. Criminal Tribes Act	1	
Total ..	82	

PART IV

Showing the relative number of times whipping was awarded as compared with other punishments in cases in which whipping might have been awarded.

Punishment.	Number.	Remarks.
1	2	3
1. Total number of whipping awarded	898	
2. Total number of other punishments in which whipping might have been awarded.	3,572	
3. Total number of all punishments in cases in which whipping might have been awarded (total of headings 1 and 2).	4,470	
4. Percentage of whipping on total number of all punishments (percentage of heading 1 or heading 3).	19	

JUDICIAL STATEMENT No. 7 (CRIMINAL).

Statement showing use of jurors and assessors in the criminal courts of the Agra Province for the year 1939.

Class of courts in which jurors or assessors are employed.		Established or average number of jurors or assessors in each case and prescribed qualification.	Number of accused persons in jury trial.				Number of accused persons in trials with assessors.				Remarks.
			Tried.	As to whom the Judge—			Tried.	As to whom the Judge—			
				Approved verdict.	Did not approve verdict.	Made reference under section 307 of the Code of Criminal Procedure, 1898.		Agreed with all the assessors.	Differed from one or more, but not from all the assessors.	Differed from all the assessors.	
1		2	3	4	5	6	7	8	9	10	11
Courts of session.	Jurors ..	Number of jurors—5 ..	409	366	..	43	..	..	..	..	
	Assessors ..	Number of assessors—2	..	..	..	..	6,873	3,749	1,724	1,400	